

REMARKS

Favorable reconsideration and allowance of this application are requested.

An obvious typographical error has been corrected on page 2 of the specification.

Applicants note with appreciation the Examiner's indication of allowability of prior pending claims 13-16 subject to presentation in independent form and resolution of any 35 USC §112 issues therein.

By way of the amendment instructions above, claims 1-14 have been canceled without prejudice and claim 15 has been amended so as to be in independent form and to address the 35 USC §112, second paragraph issues raised by the Examiner. New claims 17-40 are based on prior dependent claims but depend directly or indirectly from the amended version of claim 15. Care has been taken to ensure that such new claims likewise comply with the provisions of 35 USC §112, second paragraph.

Therefore, upon entry of this amendment claim 15 indicated to be allowable and claims 16-40 dependent therefrom will be pending in the subject application. As such, the rejection advanced under 35 USC §103(a) has been rendered moot.

Every effort has been made to advance prosecution of this application to allowance. Therefore, in view of the amendments and remarks above, applicant suggests that all claims are in condition for allowance and Official Notice of the same is solicited.

Should any small matters remain outstanding, however, the Examiner is encouraged to telephone the Applicants' undersigned attorney so that the same may be resolved without the need for an additional written action and reply.

Early receipt of the Official Allowance Notice is therefore solicited.

BENNEKER et al
Serial No. 10/540,229
March 30, 2009

Fee Authorization

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: /Bryan H. Davidson/
Bryan H. Davidson
Reg. No. 30,251

BHD:dlb
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100